

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor, having found in accordance with Section 13.32.040 of the El Paso Municipal Code that (1) the late filing was not due to a lack of diligence on the part of the applicant; and (2) the short notice does not unreasonably prejudice the City in preparing for the parade or temporary event, has approved the following parade permit, and that such approval is hereby ratified:

Request submitted on March 15, 2004, by Helpers of El Paso for prayer and sidewalk counseling; beginning at 8:30 a.m. to 12:00 p.m, at 500 Schuster, on Saturday, March 20, 2004. (District 8)

ADOPTED this 23rd day of March, 2004.

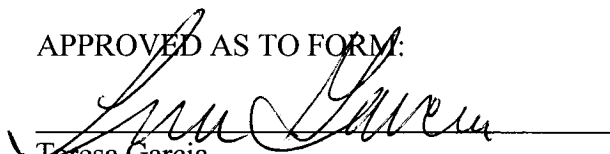
CITY OF EL PASO

Joe Wardy
Mayor

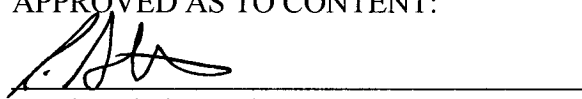
ATTEST:

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:


Teresa Garcia
Assistant City Attorney

APPROVED AS TO CONTENT:


R. Alan Shubert, Director
Building Permits and Inspections Department




OFFICE OF THE CITY ATTORNEY

MEMORANDUM

CONFIDENTIAL ATTORNEY-CLIENT AND/OR ATTORNEY WORK PRODUCT COMMUNICATION
NOT INTENDED FOR PUBLIC DISSEMINATION

TO: Mayor Joe Wardy

FROM: Teresa Garcia 
Assistant City Attorney

SUBJECT: Emergency Temporary Event Permit Application

DATE: March 16, 2004

Attached for your necessary attention is a copy of the following Request for Temporary Use of City Streets, Sidewalks, and Other Public Places:

Request submitted on March 15, 2004, by Helps of El Paso for prayer and sidewalk counseling; beginning at 3:30 a.m. to 12:00 p.m., at 500 Schuster, on Saturday, March 20, 2004. (District 8)

Also attached is a letter explaining the event and the reason for the delay in filing the request.

Paragraph A. of Section 13.32.040 of the Municipal Code requires applications for parade permits to be filed with the City Clerk not less than seven days prior to the proposed date of the event. Paragraph D. of that Section provides a procedure for approval of applications filed late. The Mayor, the Mayor pro tem, or the alternate Mayor pro tem "shall issue a permit based on the standards set out in Section 13.32.050 [matters of public safety]" if the following findings are made:

1. The late filing was not due to a lack of diligence on the part of the applicant; and
2. The short notice does not unreasonably prejudice the city in preparing for the parade or temporary event.

It does not appear that any City department will be prejudiced in preparing for the event. If you find that the late filing was not due to a lack of diligence on the part of the applicant, you should sign the permit in the indicated space and return the application to the office of the Building Permits and Inspections Department.

If there are any questions regarding this matter, please let me know.

Attachments

Cc (w/o attachments):

Anthony Cobos, District 8 Representative

Lisa Elizondo, City Attorney

R. Alan Shubert, Director, Building Permits & Inspections Department

Jim Martinez, Chief Administrative Officer

Richarda Momsen, City Clerk

REQUEST FOR TEMPORARY USE OF
CITY STREETS, SIDEWALKS, AND OTHER PUBLIC PLACES

Fees: \$15.75 One event to take place on one day. [36010119/404123]
\$21.00 Multiple permits for two or more similar events to take place on consecutive days. (**Please note:** a street may not be continuously blocked for more than 24 consecutive hours. If a multiple use permit is granted, the street must be cleared, cleaned and opened between the two separate uses.)

(Please type or print)

1. Applicant:

HELPERS OF EL PASO

(Person/Organization)

Contact Person:

JOSE A. "PEPE" GANDARA

Name

955 LOMA VERDE EL PASO 79936 858 4454

Street Number

City

State

Zip Code

Telephone No.

Between 8:00 AM - 5:00 PM

2. Type of Event: PEACEFUL PRAYER AND COUNSELING, (SIDEWALK)

(Moving)

☐ Parade

☐ Demonstration

☐ Foot Race/Walk

☐ Bike Race

☐ Other: _____

(Stationary)

☐ Block party

☐ Bazaar

☐ Festival

☐ Sidewalk Sale

☒ Other: SIDEWALK COUNSELING

3. Date of Event: MARCH 20, TH SATURDAY

Total Time of Event: from 8:30 AM to 12:00
(Time) (Time)

Time in which police traffic control services will be needed:

N/A
from _____ to _____

This is the time in which police officers will be moving your event on the streets. This is the time for which you will be charged for police traffic control.

NO NEED FOR TRAFFIC CONTROL

EMERGENCY

4. Approximate number of participants:

20 Persons 7 Vehicles Animals Other Specify:

*Section 13.32.100 requires you to keep the parade route clean and free of animal excrement during the parade.

5. Approximate or anticipated number of spectators: 20

6. Purpose of Event: (i.e. fund-raiser, school activity, etc.)

PEACEFUL PRAYER AND SIDEWALK COUNSELING
AT ABORTION CLINIC

If this is a fund-raiser and you estimate that you will raise over \$500, please list your Charitable Solicitation Permit number: NO N/A

7. Proposed Route: (streets, parks, sidewalks to be used or blocked)

ATTACH A CLEAR AND SPECIFIC HAND DRAWN MAP

500 SCHUSTER (SIDEWALK ONLY)

Location of assembly area, if separate or different:

N/A

IMPORTANT INFORMATION REGARDING TRAFFIC CONTROL:

If traffic control will be provided by the El Paso Police Department for a moving event, you must submit a map of the route for the event. The Police Department will then prepare a traffic control plan along with an estimated cost for their services as provided in Section 13.32.110. You will be billed for the actual cost after the event.

If traffic control will not be provided by the El Paso Police Department, then you must submit a map and written traffic control plan to Building Permits & Inspections or the Engineering/Traffic Division, not less than seven days prior to the date of the event.

You will also be responsible for paying for and providing any barricades and signs. The barricading shall be manned and the barricading and signing shall comply with the provisions set forth in the State's

"Manual of Uniform Traffic Control Devices." Please feel free to contact the City's Engineering/Traffic Division, 6th Floor, 541-4050, for more information.

8. Amplification devices to be used: _____ Yes ☒ No

Use permitted only between the hours of 7 a.m. and 10 p.m.

If amplification is being requested, number of and sound amplifying capacity of microphones, amplifiers and speakers proposed to be used. Also, state whether or not the purpose is advertising any goods, property, services, or entertainment, the primary purpose of which advertising is the making of a profit for a business.

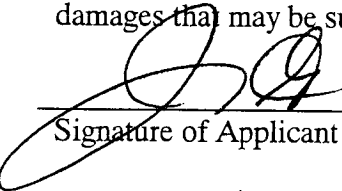
Regarding the use of San Jacinto Plaza, amplification may only be used on the stage. If you wish to use this area, you must also contact the Parks and Recreation Department, 6th Floor, and reserve the stage. A fee is charged for the use of this area. Additionally, other ordinances may apply to or restrict the use of city-owned property, including parks.

9. Method of Street and Right-of-Way cleaning:

N/A

Section 13.32.100 requires you to clean the streets, sidewalks, and other rights-of-way from all event litter and debris, including that left by spectators. In the event that you do not clean these areas, the City may perform such cleaning and you will be charged. You may also arrange in advance to have the Street Department perform the cleaning for a charge by filling out a separate request form and submitting it to Building Permits & Inspections Office no later than fourteen days prior to the date of the event.

RELEASE: In consideration of the permit for use of city streets, sidewalks, and other places held for public use, it is understood that the applicant(s) contained herein do hereby release and discharge the City, and its respective officers, directors, agents, and employees, jointly and severally, from any and all liability for illness, injuries and damages that may be suffered which arise out of or result from participation in this event.


Signature of Applicant

3-15-04
Date

For MEMBERS OF EL PASO
(Organization/Sponsor, if any)

Please note: If the parade or temporary event is designed to be held by or for any person other than the applicant, the applicant shall attach a communication in writing from the person authorizing the applicant to apply for the permit.

For Office Use Only

Event: HELPERS OF EL PASO PEACEFUL PRAYER

\$15.75 Fee Paid: 0407403-1 03/15/2004 001 11

\$21.00

City Council Hearing: EMERGENCY

Copy to:

☐ Police Department
☐ Fire Department
☐ Sun Metro
☐ Parks Department

☐ Engineering-Traffic Div.
☐ Highway Department
☐ Street Department
☐ Civic Center

Comments:

PERMIT

EVENT: HELPERS OF EL PASO PEACEFUL PRAYER

LOCATION 500 SCHUSTER (SIDEWALK ONLY)

DATE OF EVENT: MARCH 20, 2004 FROM 8:30 A.M. TO 12:00 P.M.

City Council Action: ☐ Approved ☐ Disapprove ☐ Approve W/Mod

Date Permit Issued: _____ Permit No.: _____

R. Alan Shubert, P.E.
BUILDING PERMITS & INSPECTIONS DIRECTOR

Mayor Joe Wardy

Approved as to Form _____
Teresa Garcia, Assistant City Attorney

For Office Use Only

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☐ Highway Department
☐ Street Department
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Comments:

PERMIT

EVENT: HELPERS OF EL PASO PEACEFUL PRAYER

LOCATION 500 SCHUSTER (SIDEWALK ONLY)

DATE OF EVENT: MARCH 20, 2004 FROM 8:30 A.M. TO 12:00 P.M.

City Council Action: ☒ Approved ☐ Disapprove ☐ Approve W/Mod

Date Permit Issued: MARCH 17, 2004 Permit No.: _____

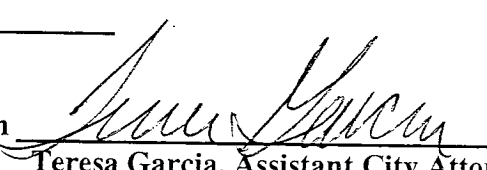


R. Alan Shubert, P.E.
BUILDING PERMITS & INSPECTIONS DIRECTOR

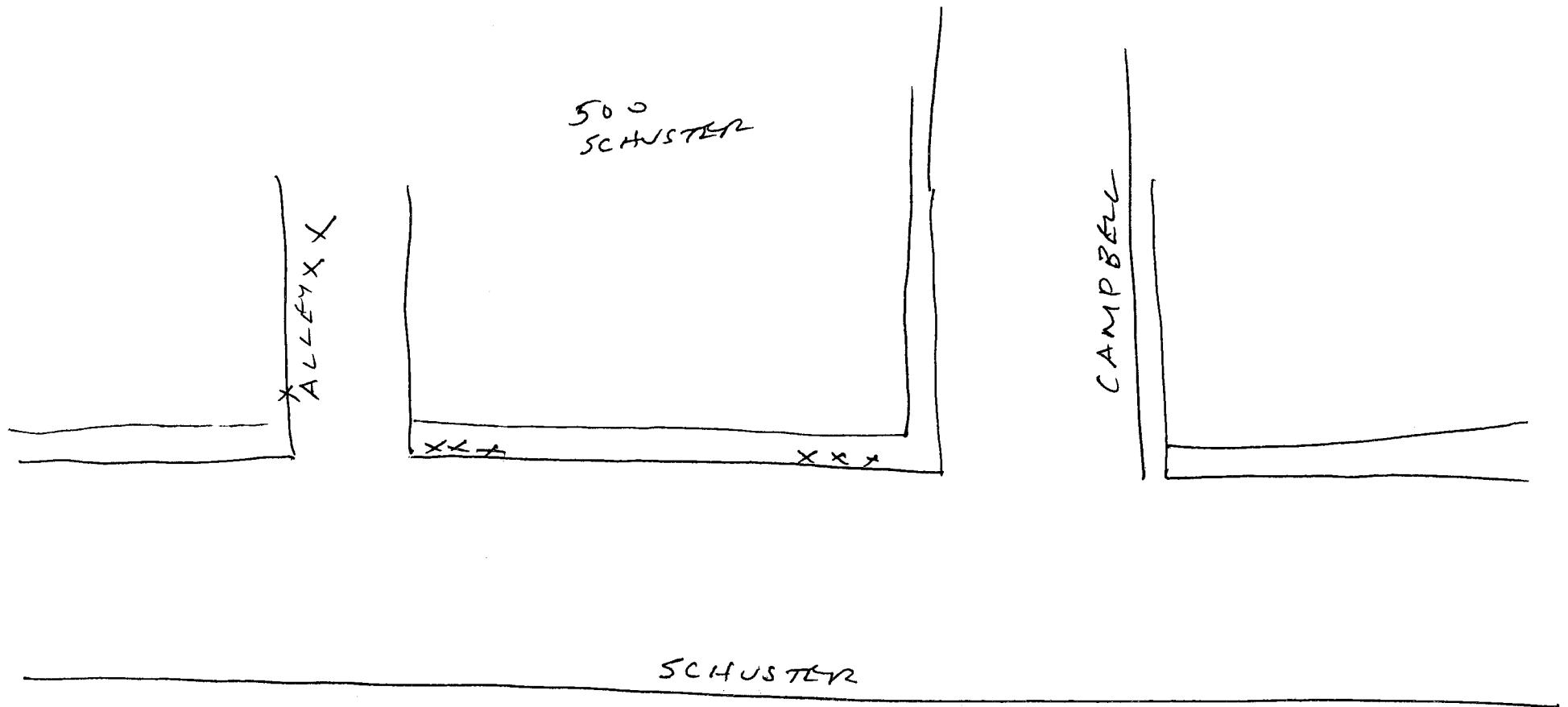


Mayor Joe Wardy

Approved as to Form



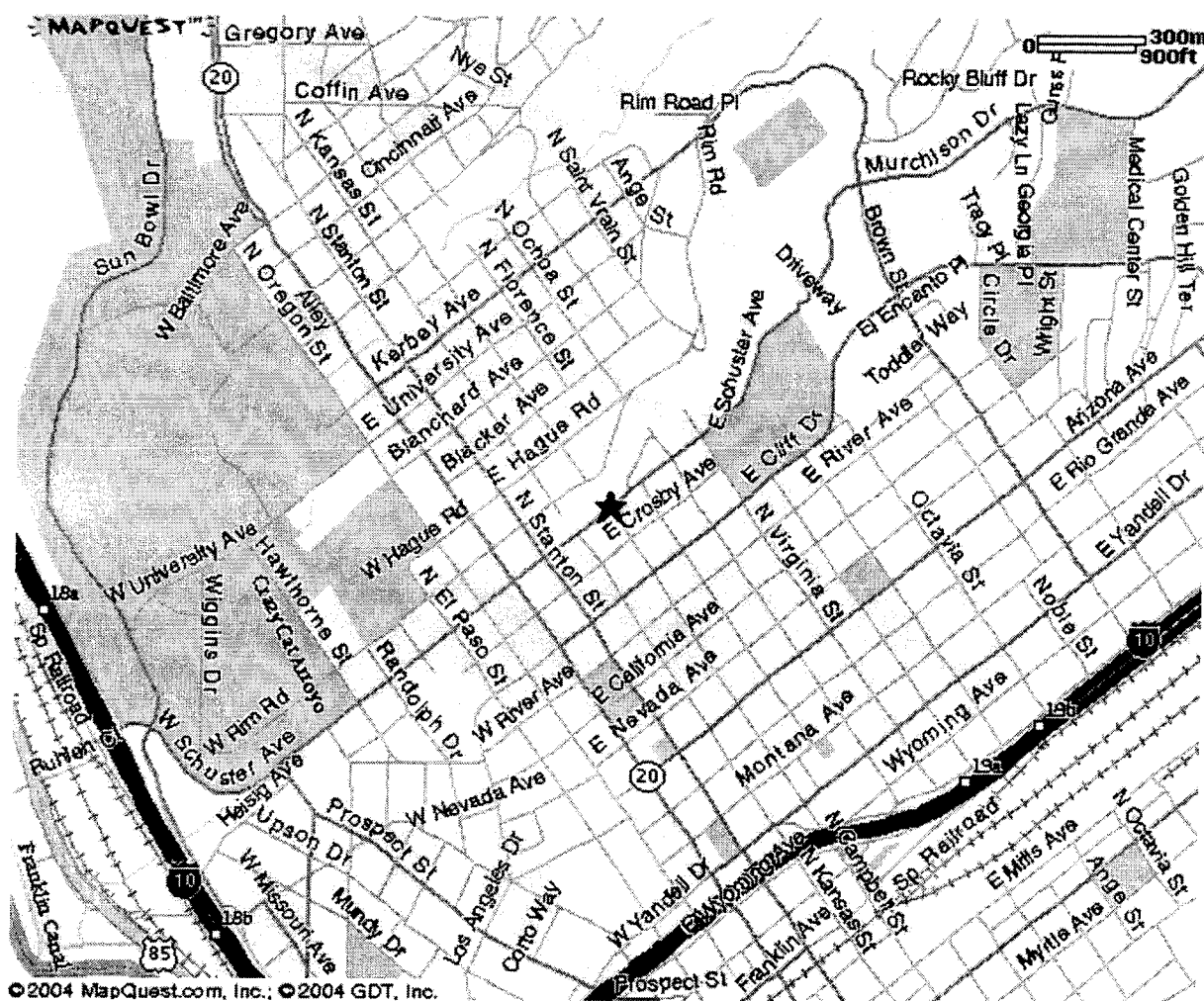
Teresa Garcia, Assistant City Attorney



X MARKS SIDEWALK AREAS WE PRAY
AT, WITHOUT BLOCKING THE SIDEWALK



500 E Schuster Ave
El Paso TX
79902-4248 US



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HELPERS OF EL PASO

955 LOMA VERDE
EL PASO , TEXAS 79936

MAYOR JOE WARDY
CITY OF EL PASO
March 15, 2004

DEAR SIR, PLEASE FIND THIS LETTER AS A PETITION FOR A PERMIT FOR PEACEFUL PRAYER AT THE TWO LOCATIONS WHICH ARE SPECIFIED,

- 1) 500 SCHUSTER
- 2) 730YANDELL

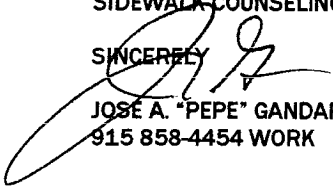
NORMALLY WE PRAY AT THESE LOCATIONS FROM TUESDAY THRU SATURDAY .
USUALLY THERE ARE ONLY TWO OR THREE PEOPLE PRAYING OR COUNSELING. ,, ALL IN A PEACEFUL MANNER WITHOUT CONDEMNATORY TYPE PROTEST. THE REASON FOR THIS LETTER IS TO REQUEST A PERMIT FOR SATURDAY MARCH 20 TH , 2004 FROM 9:00 AM TO 12: 00 IN THE EVENT THAT MORE THAN 25 PEOPLE ARRIVE FOR PRAYER. WE ARE BLESSED WITH A VISIT FROM MSGR. PHILIP REILLY FROM BROOKLYN NEW YORK, THE DIRECTOR OF HELPERS OF GOD 'S PRECIOUS INFANTS, THIS SATURDAY.

ALTHOUGH WE ARE NOT GOING TO WALK IN A PROCESSION , WE ARE ONLY GOING TO PRAY , WITHOUT ANY LOUDSPEAKERS , PEACEFUL PRAYER AND SIDEWALK COUNSELING ,
WE APOLOGIZE FOR APPLYING AT THIS LATE A DATE , WE WERE NOT SURE HOW MANY WOULD BE VOLUNTEERING FOR THIS PUBLIC TESTIMONY(PRAYER).

WE WILL NOT BE NEEDING ANY STREETS "BLOCKED " OFF , WE WILL BE PARKING MAINLY ON SCHUSTER ON THE NORTH SIDE OF THE STREET. AND ON YANDELL, AND THE SURROUNDING AREA OF YANDELL,...

PLEASE KEEP IN MIND THAT THE HELPERS , ARE A PEACEFUL PRAYER GROUP, OFFERING PRAYER AND SIDEWALK COUNSELING TO WOMEN WHO ARE CONTEMPLATING AN ABORTION

SINCERELY



JOSE A. "PEPE" GANDARA
915 858-4454 WORK

Mar. 15. 2004 2:41PM CITY OF EL PASO

No. 4650 P. 12/15

For Office Use Only

Event: HELPERS OF EL PASO PEACEFUL PRAYER\$15.75 Fee Paid: 0407403-1 03/15/2004 001 11
\$21.00City Council Hearing: EMERGENCY

Copy to:

☐ Police Department
☐ Fire Department
☐ Sun Metro
☐ Parks Department

☐ Engineering-Traffic Div.
☐ Highway Department
☐ Street Department
☐ Civic Center

Comments:

PERMITEVENT: HELPERS OF EL PASO PEACEFUL PRAYERLOCATION 500 SCHUSTER (SIDEWALK ONLY)DATE OF EVENT: MARCH 20, 2004 FROM 8:30 A.M. TO 12:00 P.M.City Council Action: ☐ Approved ☐ Disapprove ☐ Approve W/Mod

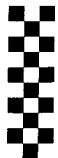
Date Permit Issued: _____ Permit No.: _____

R. Alan Shubert, P.E.
BUILDING PERMITS & INSPECTIONS DIRECTOR

Mayor Joe Wardy

Approved as to Form _____

Teresa Garcia, Assistant City Attorney



For Office Use Only

Event: HELPERS OF EL PASO PEACEFUL PRAYER

\$15.75 Fee Paid: 0407403-1 03/15/2004 001 11
\$21.00

City Council Hearing: EMERGENCY

Copy to:

☐ Police Department
☐ Fire Department
☐ Sun Metro
☐ Parks Department

☐ Engineering-Traffic Div.
☐ Highway Department
☐ Street Department
☐ Civic Center

Comments:

Sun Metro has no objection to the event.
P. Lujan 3/15/04

PERMIT

EVENT: HELPERS OF EL PASO PEACEFUL PRAYER

LOCATION 500 SCHUSTER (SIDEWALK ONLY)

DATE OF EVENT: MARCH 20, 2004 FROM 8:30 A.M. TO 12:00 P.M.

City Council Action: ☐ Approved ☐ Disapprove ☐ Approve W/Mod

Date Permit Issued: _____ Permit No.: _____

R. Alan Shubert, P.E.
BUILDING PERMITS & INSPECTIONS DIRECTOR

Mayor Joe Wardy

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Teresa Garcia, Assistant City Attorney



For Office Use Only

Event: HELPERS OF EL PASO PEACEFUL PRAYER

\$15.75 Fee Paid: 0407403-1 03/15/2004 001 11

\$21.00

City Council Hearing: EMERGENCY

Copy to:

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☐ Fire Department
☐ Sun Metro
☐ Parks Department

☐ Engineering-Traffic Div.
☐ Highway Department
☐ Street Department
☐ Civic Center

Comments:

Traffic Has No Objections To Proposed Demonstration,
Provided Participants Do NOT BLOCK Pedestrian
Traffic

CEG
3/15/04

PERMIT

EVENT: HELPERS OF EL PASO PEACEFUL PRAYER

LOCATION 500 SCHUSTER (SIDEWALK ONLY)

DATE OF EVENT: MARCH 20, 2004 FROM 8:30 A.M. TO 12:00 P.M.

City Council Action: ☐ Approved ☐ Disapprove ☐ Approve W/Mod

Date Permit Issued: _____ Permit No.: _____

R. Alan Shubert, P.E.
BUILDING PERMITS & INSPECTIONS DIRECTOR

Mayor Joe Wardy

Approved as to Form _____
Teresa Garcia, Assistant City Attorney

For Office Use Only

Event: HELPERS OF EL PASO PEACEFUL PRAYER

☐ Fee Paid: 0407403-1 03/15/2004 001 11
☐ Date

City Council Hearing: EMERGENCY
Date

Copy To:

☒ Police Department
☐ Fire Department
☐ Sun Metro
☒ Parks Department

☐ Traffic & Trans. Dept.
☐ Highway Department
☐ Street Department

Comments:

The El Paso Police Department has no objection with this event.

The Department will monitor the event as necessary with the district car.

There will be no cost to city or applicant.

04-015

PERMIT

EVENT HELPERS OF EL PASO PEACEFUL PRAYER

LOCATION: 500 SCHUSTER (SIDE WALK ONLY)

DATE OF EVENT: MARCH 20, 2004 FROM 8:30 AM TO 12:00 PM

CITY COUNCIL ACTION: Approve Disapprove Approve w/ Mod

Date Permit Issued: _____ Permit No.: _____

Building Permits & Inspections Director